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ABSTRACT

This report presents interpretive summaries of legislative actions in 9 western states. The states are: Alaska, Arizona, California, Colorado, Hawaii, Idaho, New Mexico, Utah, and Washington. The first section gives a regional roundup of 1970 legislative action on such issues as campus conduct, constitutional revision, higher education studies, name changes, new and changing institutions, private school support, statewide coordination, and tuition and fees. The next section presents brief summaries of major 1970 legislative actions in each of the 9 states. The major part of the report is devoted to more extensive discussions of the legislative actions in the 9 states, including the operating budgets, appropriations, and other issues. (AF)

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SUMMARY OF STATE LEGISLATION AFFECTING HIGHER EDUCATION IN THE WEST: 1970

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WICHE is a public agency through which the people of the West work together across state lines to expand and improve education beyond the high school.

HISTORY:

- Was created to administer the Western Regional Education Compact, which has been adopted by the legislatures of all the 13 western states;
- Was formally established in 1951, after ratification of the compact by five state legislatures; program activity began in 1953.

ORGANIZATION:

- Is composed of 39 commissioners, three from each state, appointed by their governors; they serve without pay;
- Is served by a small professional staff, supplemented by consultants, councils, and committees.

PURPOSES:

- Seeks to increase educational opportunities for western youth;
- Assists colleges and universities to improve both their academic programs and their institutional management;
- Aids in expanding the supply of specialized manpower in the West;
- Helps colleges and universities appraise and respond to changing educational and social needs of the region;
- Informs the public about the needs of higher education.

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INTRODUCTION

The Summary of State Legislation Affecting Higher Education in the West: 1970 is designed to provide westerners with an interpretative summary of those legislative actions in each state which will influence the present and future course of higher education in the West. The Commission hopes that this exchange of information across state lines will prove useful to legislators and educators in making decisions affecting higher education.

This year's Summary is the fourth in a series to be published by WICHE. In addition to the state reports, we have included a regional roundup of legislative action and individual state summaries. Summaries of state legislative action on a national rather than regional basis may be found in the April, 1970, and October, 1970, issues of Higher Education in the States, published by the Education Commission of the States, Denver, Colorado.

The Summary differs from many WICHE publications in one way. Most of the contributors are not specialists in the field of higher education or related areas; they are, instead, specialists in the field of communication. The men whose bylines appear here were selected because they hold the respect of legislators and educators in their states for their ability to interpret public events objectively without pleading the special interest of any particular group.

This project was coordinated by Patricia Snyder, WICHE Staff Assistant, who edited the state reports and wrote the state and regional summaries.

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REGIONAL ROUNDUP OF 1970 LEGISLATIVE ACTION

Nine of the 13 western states held legislative sessions in 1970. Alaska, Arizona, California, Colorado, Hawaii, Idaho, New Mexico, and Utah met in annual sessions, while the Washington State Legislature, which normally meets only biennially, convened in special session this year. The four other western states which have biennial legislative schedules did not meet in this "off year."

Of the eight states holding regular sessions this year, seven--Alaska, Arizona, California, Colorado, Hawaii, New Mexico, and Utah--approved regular annual budgets to support higher education in the 1970-71 fiscal year. However, two states--Idaho and Washington--appropriated only supplemental funds to add to the 1969-71 biennial budgets originally approved by their legislatures in 1969.

Following is a detailed roundup of notable legislation affecting higher education in the West:

CAMPUS CONDUCT

The Arizona State Legislature approved a bill designed to curb campus disturbances by providing penalties up to a $500 fine, a year in jail, or both, for violation of campus rules for the "maintenance of public order." All state institutions were given 90 days to adopt rules and regulations for the maintenance of public order on all property under their jurisdiction. The act assures prompt compliance by providing withdrawal of state aid to any institution which fails to adopt such rules and regulations.

Frustrated by the apparent inability of institutions of higher education in the state to curb campus disorders even with the assistance of 1969 legislation designed for that purpose, California legislators took drastic action during the 1970 session, cutting all funds for faculty salary increases in the state college and university system budgets. A similar frustration on the part of California voters was cited as a major factor in the June defeat of a $246.4 million bond issue to finance new university medical school facilities, a measure which had enjoyed bipartisan support in the legislature.

Student unrest was again a topic of the Hawaii Legislature, especially when student activists broke into the ROTC building and held it for several days during the session. While the Democrat majority in the senate managed to defeat a Republican-supported resolution calling on the university administration to expel all students and faculty members who took part in the demonstration, campus unrest was blamed for killing

a bill aimed at placing at least one student on the board of regents for the University of Hawaii.

Four bills relating to campus conduct were introduced in the New Mexico Legislature as a result of a nine-month study by the legislature's University Investigating Committee. Three of the four bills were approved by the legislature, but only two of these were approved by the governor. One of the two successful measures specifies the offense of campus trespass and prohibits interference with university staff and students engaged in lawful use of the campus. The other measure to become law authorizes continuation of the University Investigating Committee until July 1, 1971.

The Washington State Legislature passed additional legislation aimed at reducing campus disruptions after learning that the Criminal Trespass Law approved by the 1969 legislature was not as effective as planned because of the pre-arrest notice requirement. The 1970 legislation prohibits picketing, mass demonstrating, and intimidation by threat of force or violence which results in denying free access to campus buildings to an administrator, a faculty member, or a student. Penalty for violation is a fine of up to $500 and/or imprisonment in jail for up to six months.

CONSTITUTIONAL REVISION

A constitutional amendment which would have asked the state's voters to strip the University of Colorado Board of Regents of their constitutionally-granted "exclusive control and direction" of university funds failed to win the necessary two-thirds majority in the Colorado Legislature. Regents of the university are the only elected governing board for an institution of higher learning in the state, and their constitutional independence has frequently frustrated the legislature. Killed at the same time was a constitutional proposal to enlarge the board of regents from six to nine members and to remove the university president as a tie-breaking vote on the board.

The 40th Idaho Legislature approved a full revision of the 81-year-old state constitution which the people will vote on in November. The proposed revision would establish a single state board of education to supervise institutions of higher education and the public school system and would eliminate a provision for a Board of Regents for the University of Idaho. The revision would retain the corporate and constitutional powers of the University of Idaho at Moscow, created before Idaho became a state, but would vest those same powers in all other state institutions of higher learning.

The New Mexico Legislature approved a proposed constitutional amendment, to be voted on in November by the people of the state, which would empower the governor to begin removal proceedings for cause against a university regent or empower the senate to initiate such action by a two-thirds vote of all members. The constitution at present is silent as to who has the authority to initiate removal proceedings against a regent. The constitutional amendment was originally proposed by the

state's constitutional convention in the fall of 1969, but went down to defeat along with the rest of a proposed new constitution which was rejected by New Mexicans at a special election in early December, 1969.

HIGHER EDUCATION STUDIES

The Colorado Legislature authorized a new interim study of intercollegiate athletics at state universities and colleges as a result of a $492,800 athletic fund deficit at Colorado State University. The interim study committee is charged with responsibility for examining accounting procedures in the athletic programs of all state-supported schools to see whether tax funds are finding their way into programs which are supposed to be financed from non-tax sources.

The Hawaii Legislature called for feasibility studies for both a law school and a medical school at the University of Hawaii.

A University Investigating Committee, created by the New Mexico Legislature during the closing hours of the 1969 session, was continued until July 1, 1971. The committee is charged with investigating all public institutions of higher education in the state, although its scrutiny is primarily centered upon the University of New Mexico where the incident occurred which endangered the legislative probe. This incident was the use of an allegedly obscene poem as course material in freshman English classes at UNM.

NAME CHANGES

The California Legislature defeated a bill that would have renamed every state college a "state university," but did approve legislation which redesignated the state's "junior colleges" as "community colleges."

Colorado State College at Greeley was permitted by the 1970 Colorado Legislature to change its name to University of Northern Colorado. The same request had been denied by the 1969 legislature.

NEW AND CHANGING INSTITUTIONS

The Colorado Legislature approved a bill authorizing state participation in a planned new higher education center in downtown Denver. A total of $1.4 million--the first phase of an ultimate state share of $5.6 million--was authorized for land acquisition and another $543,000 in planning money was also approved. The new center will house campuses of the five-year-old, but scattered, Metropolitan State College and the downtown branch of the Community College of Denver. The two campuses will share facilities and will adjoin the present University of Colorado Denver Center.

The Hawaii Legislature expanded the Hilo campus of the University of Hawaii into a four-year institution, gave the university $300,000 to plan

a second campus on Oahu Island to take the load off the university's main campus in Honolulu, and allocated an additional $100,000 to the university for planning of a statewide university system.

A new educational institution, Eastern Idaho Vocational School, was established by the Idaho Legislature. The legislature in 1969 had authorized a "vocational center" at Idaho Falls and appropriated $250,000 to purchase or construct a building. However, the State Board for Vocational Education did not have authority to obtain title to property in Idaho Falls. An effort was made to operate a center under Idaho State University's vocational school just 50 miles away, but Idaho Falls objected. So the 1970 session created a new institution and gave the board authority to obtain title to property.

The New Mexico Legislature appropriated $46,000 to Eastern New Mexico University at Portales to obtain facilities for a vocational education branch in nearby Clovis.

PRIVATE SCHOOL SUPPORT

The Alaska Legislature established a new series of conditions under which the state now can enter into contract with accredited, privately-sponsored institutions of higher education in Alaska for the provision of educational services to Alaska residents. Agreements for state payments to the private schools are to be made through the Alaska Higher Education Commission; however, no contract payments are to be made for courses in sectarian religion or partisan politics.

SCHOLARSHIPS AND LOANS

The Alaska Legislature made extensive changes in the state's scholarship loan program, enlarging its scope to include grants as well as loans and raising the maximum limit on a grant or loan to $750 per year. The grants are limited to use at an accredited college or university in Alaska, but the scope of the loan program was expanded to permit the use of loans at accredited institutions outside the state. Terms for loan forgiveness were also liberalized.

Under another measure approved by Alaska legislators, members of the Alaska National Guard are now eligible for state educational assistance benefits based on and equivalent to those of the federal veterans administration education program.

Colorado lawmakers expanded two programs designed to aid racial minorities attending the state's institutions of higher education. The first, a work-study program intended to help needy students supplement their incomes, was doubled to a $600,000 total. The second, a teacher incentive program providing scholarship assistance to resident minority group members who agree to teach in Colorado schools at least two years after being certified, was expanded from a $75,000 to a $100,000 program.

In Hawaii, lawmakers expanded the state student loan fund by $250,000.

A law passed by the New Mexico Legislature this session created a new student loan fund financed by revenue bonds. The Board of Educational Finance took steps to implement it by the fall of 1970 immediately after the bill was signed into law. Loans will be made available to New Mexico residents attending both public universities and private institutions in the state. Another bill increases the number of scholarships which can be awarded by the public institutions from two to three percent of student enrollment.

The legislature in Utah increased the amount which may be borrowed from the State Insurance Fund to provide loans for college students from $3 million to $6 million.

STATEWIDE COORDINATION

The California Legislature shifted the balance of power on the California Coordinating Council for Higher Education to "public" members by sharply reducing the number of college and university representatives on the council.

The Colorado Commission on Higher Education, threatened with abolishment legislation a year ago, was enlarged and strengthened by the 1970 legislature. The commission's membership was expanded from 7 to 9 persons, and its advisory committee enlarged from 9 to 14. The commission's statutory powers also were clarified and enlarged. Expansion of the commission's advisory committee ratifies an unofficial act which placed on the committee a student selected by the Colorado Collegiate Association and a representative of the independent colleges; it also allows institutional governing boards to designate a representative.

Utah lawmakers amended the method of appointing members of the State Board of Higher Education after a finding by the Utah Supreme Court that the original method which prescribed appointment of six of the members by the legislature rather than by the governor was an unconstitutional infringement on the executive's sole power of appointment. In order to provide a smooth transition, Governor Rampton recommended appointment of the same six members previously named by the legislators and the appointments were approved by the senate.

To simplify administration of the Council on Higher Education and the Commission on Higher Education, the 1970 Washington Legislature deleted the prohibition against the chairman of one agency serving as chairman of the other. Both agencies had been created by the 1969 legislature with a certain measure of common membership on the two bodies.

TUITION AND FEES

California legislators authorized the state's 92 community colleges to increase their out-of-state student fees from the previous maximum

of $390 to $678 per year. Efforts to impose tuition at the state colleges were defeated.

The Idaho Legislature directed the State Board of Education to adopt uniform standards and rules applicable to all colleges and universities regarding resident status and tuition of students. The lawmakers set up specific definitions for "resident" students, making the student's domicile the basic proof of residency.

The New Mexico Legislature declined to go along with a recommendation of its Legislative Finance Committee for substantial increases in student tuition for next year and retained tuition at the 1969-70 rates. The legislature did agree to liberalize the definition of resident students to enable members of the armed services based in New Mexico and their dependents to attend institutions of higher education at the resident tuition rate.

The Washington Legislature enacted legislation which increased the maximum permissable tuition which the state universities and colleges can charge both for resident and non-resident students. The legislation is permissive rather than mandatory; however, most of the state institutions are expected to implement the authorized increases.

STATE SUMMARIES OF 1970 LEGISLATIVE ACTION

ALASKA The University of Alaska, the only publicly-supported four-year institution in the state, received an appropriation of $17 million for fiscal year 1970-71, some 43 percent higher than the previous year's allocation.... The legislature made rather extensive changes in the state's scholarship loan program, including grants as well as loans and raising the maximum limit on a grant or loan to $750 per student in any school year.... A new series of conditions was established under which the state can contract with private institutions of higher education in Alaska for the provision of educational services to Alaska residents.... Members of the Alaska National Guard were in effect given the "G.I. Bill" for education under another measure approved by the legislature.... Also approved was a $29.7 million general obligation bond issue to fund a variety of university and community college building projects.... Four million dollars--to be paid by student fees--was loaned to the university for construction of a campus activities center.

ARIZONA A total of $98.9 million was appropriated by the Arizona Legislature for both operating expenses and capital improvements for higher education in 1970-71.... Of that sum, $84.8 million will go to the Arizona Board of Regents for the three state universities; the balance goes to the State Board of Directors for Junior Colleges.... A new act designed to curb campus disturbances gives each institution 90 days in which to adopt rules and regulations for the "...maintenance of public order on all property under its jurisdiction" and provides for withdrawal of state aid to any institution failing to comply.... New legislation was approved outlining duties of district governing boards for the two-year colleges.... The legislature assisted junior college districts and other political subdivisions of the state by lifting the interest rate limitations on certain bonds.... Other successful higher education bills this session included two related to retirement for university and college employees.

CALIFORNIA The 1970 California State Legislature authorized $337 million in general fund support and $10.9 million in capital outlay expenses for the University of California system; the state college system received $310.5 million in general fund support and $22.4 million in capital outlay expenses.... All funds for academic employee salary increases were cut from the proposed university and state college budgets as an indication of the legislature's dissatisfaction with faculty response to campus unrest.... The legislature defeated a bill that would rename every state college a "state university," but did approve legislation which redesignated "junior colleges" as "community colleges."... One successful bill makes it state policy that every portion of the state shall be included in a community college district.... The state's 92 community colleges were authorized to raise their out-of-state student fees.... The governor's appointments to the board of trustees of the

state college system will now require confirmation by the state senate .... The balance of power on the California Coordinating Council for Higher Education was shifted from college and university representatives to "public" members.... The legislature officially declared that all resident applicants qualified by law shall be admitted to the state's higher education system.

COLORADO The Colorado Commission on Higher Education, threatened with abolishment legislation a year ago, was enlarged and strengthened.... The legislature appropriated $168.3 million in higher education operating funds for 1970-71, a 17.5 percent increase over 1969-70.... Construction projects totaling $34.5 million at institutions of higher education were approved for the new fiscal year.... A new higher education center in downtown Denver was given a go-ahead and $1.4 million in land-acquisition money.... A new interim study of intercollegiate athletics at state universities and colleges was authorized.... The name of Colorado State College, Greeley, was changed to University of Northern Colorado.... Both a work-study program for needy college students and a scholarship program to encourage minority group members to enter the teaching profession were expanded.... The legislature rejected a constitutional amendment proposing sharp curtailment of the fiscal independence and spending authority now enjoyed by the University of Colorado's elected Board of Regents.

HAWAII The Hawaii State Legislature approved a record $61.5 million operating budget for the University of Hawaii's next school year, a 30 percent increase over last year.... The budget included $11 million for Hawaii's six community colleges.... Lawmakers removed the lump-sum budgeting system by which the university had previously received a total sum of money to spend as it pleased and instead instituted a modified lump-sum budget which allocated the money between major divisions.... The legislature called for feasibility studies for both a law school and a medical school at the University of Hawaii.... The student loan fund was expanded.... Money was designated both to help students find rooms in Hawaii's tight housing market and to build badly needed student dormitories.... The university was given money to plan a second campus on Oahu Island, as well as to plan a statewide university system.... The Hilo campus on Hawaii Island was expanded into a four-year institution.

IDAHO The second session of the 40th Idaho Legislature appropriated a supplemental lump sum of $1.35 million for higher education, bringing the total for higher education in the state to $49.5 million for the 1969-71 biennium.... The legislature proposed a full revision of the 81-year-old Idaho Constitution, including establishment of a single state board of education to supervise the institutions of higher learning and the public school system and eliminating the present provision for a Board of Regents for the University of Idaho.... Eastern Idaho Vocational School in Bonneville County (Idaho Falls) was established.... The State Board of Education was directed to adopt uniform standards and rules for all colleges and universities regarding resident status and tuition of students.... The legislature also authorized the State Board of Education

to establish vocational or other education classes at two Job Corps Centers, one under the supervision of Boise State College and the other under Lewis-Clark Normal School at Lewiston.

NEW MEXICO The New Mexico State Legislature approved a total general fund appropriation of $41 million for institutions of higher education in the state, a 15.2 percent increase over 1969-70.... Three of four bills introduced as a result of the nine-month study by the legislature's University Investigating Committee were approved by the lawmakers, but one of the three was vetoed by the governor.... One of the two measures adopted specifies the offense of campus trespass and prohibits interference with university staff and students engaged in lawful use of the campus.... The other measure to become law perpetuates the University Investigating Committee until July 1, 1971.... A legislatively-proposed constitutional amendment, to be voted on in November, would empower the governor to begin removal proceedings for cause against members of the University of New Mexico Board of Regents, or for the senate to initiate such action by a two-thirds vote of all members.... A new student loan fund, financed by revenue bonds, was created.... Public institutions of higher education were authorized to give scholarships equal to three percent of the enrollment, up from the previous two percent.... The definition of resident student was liberalized to enable members of the armed services based in New Mexico and their dependents to attend institutions of higher education at the resident tuition rate.

UTAH The 1970 budget session of the Utah Legislature appropriated $45.2 million for operation of the state's system of higher education for the 1970-71 academic year.... In addition, $4.1 million was appropriated for capital outlay purposes, mostly for facilities construction and extension.... The lawmakers doubled the amount which may be borrowed from the State Insurance Fund to provide loans for college students.... The method of appointing members of the State Board of Higher Education was amended, following a finding by the Utah Supreme Court that the original method which prescribed appointment of six of the members by the legislature rather than by the governor was unconstitutional.... In addition to regular appropriations, the legislature earmarked $120,000 for development of museums on higher education campuses.

WASHINGTON The Extraordinary Session of the Washington Legislature appropriated a supplemental higher education budget for the 1969-71 biennium totaling $24.2 million, adding to the previous biennium total of $492.3 million .... Lawmakers approved legislation aimed at reducing campus disruptions by defining and providing penalties for two new crimes: 1) picketing or mass demonstrating which results in denying free access to a campus building, and 2) intimidation by threat of force or violence which results in denying free access to a campus building.... To simplify administration of the Council on Higher Education and the Commission on Higher Education, both created by the 1969 legislature, the 1970 legislature deleted the prohibition against the chairman of one agency serving as chairman of the other.... Lawmakers increased the maximum permissable tuition which the state universities and colleges can charge; most of the state institutions are expected to implement the authorized increases.

ALASKA

Allan Adasiak
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Southeast Alaska Empire

JUNEAU, Alaska -- A sense of generosity and openhandedness pervaded the Alaska State Legislature this year, and higher education came in for its share of the largess.

State Operating Budget

In previous years the 49th state has always been tightly strapped for revenues. Legislators came to town knowing how much was available to spend, then plunged into a series of strenuous battles and arduous decisions, working out what would be funded and what would not. Many desired and desirable things were always left behind.

This year, however, things were different. An oil and gas lease sale on the North Slope in September, 1969, had added some $900 million to the state coffers.

Governor Keith H. Miller proposed a total state budget of $242 million, which staggered legislators because of its size. It was up some $88 million over the current year's $154 million. In addition, it used up all general fund revenues except the $900 million--and Miller had made investment proposals for much of that.

The legislature recovered from the shock, systematically reviewed the budget, and pruned out nearly $10 million. The initial awe with the $900 million surplus wore off, however, and the legislators added increases and innovations of their own which brought the final budget to a total of $314 million in this election year.

Appropriations for Higher Education

Legislative battling and intrigue over the university budget was minimal this year because of a general sense of state wealth, and a desire to "...do something for education now that we can."

The University of Alaska, the only state-supported four-year institution of higher learning in Alaska, put in a bid for an $18,662,000 budget, up some 57 percent over its 1969-70 authorization of $11,876,000. The governor cut the request to $16 million.

Dr. William R. Wood, university president, along with other university officials, made appearances to explain the proposed budget. The legislature added one million dollars to the governor's recommendation, leaving the University of Alaska with a $17 million budget for fiscal 1970-71, some 43 percent higher than the previous year.

The university's requested increase of $6,786,000 over fiscal 1969-70 would have been distributed as follows: $1.4 million for salary adjustments; $1.3 million for increased operational costs; $850,000 for costs of occupying and operating new facilities; $932,000 for new programs; and $2,304,000 for increased work load and improvement of existing programs.

The new programs included a television laboratory, law school planning, statewide public service and community college programs, organized research, and special orientation services.

The increased work load and existing program improvement section included funds for: upgrading main campus instruction and library operations; a reorganization of research towards Alaskan problems; improvements at community colleges and in public service operations; and an upgrading of general services.

The final legislative budget of $17 million fell some $1,662,000 short of the university request. The appropriation is a lump sum which the Board of Regents may allocate as it sees fit for university operations, and cuts are expected to be made primarily from the areas of new programs and existing program improvment.

Scholarship Loan Program

The legislature made rather extensive changes in the state's scholarship loan program, extending it to include grants as well as loans and raising the maximum limit on a grant or loan to $750 to a student in any school year. The previous loan limit was $500.

Grants are to be given without obligation for repayment to eligible students who are selected by the Alaska Higher Education Commission, which administers the program through the State Department of Education.

The grants are limited to use at a college or university in Alaska accredited by the Northwest Association of Secondary and Higher Schools, and proceeds may be used only for books, tuition, room and board, and required fees. In order to continue to receive grant aid up to a maximum of four years, a student must continue to be enrolled as a full-time student in good standing at a recognized college or university.

The scope of the loan program has been expanded to permit the use of loans outside of Alaska, but only to attend a college or university "...accredited by the accreditation association for the region in which the college or university is located." Scholarship loans may also be used for payment of room and board.

The terms for loan forgiveness have also been changed. A person who receives a loan and who stays in Alaska receives forgiveness of $750 of loan indebtedness for each full year he

stays in Alaska after the period for which the loan was made. Students who leave Alaska for military service or graduate study and return immediately afterward receive similar credit for each full year they subsequently spend in Alaska.

A student who does not qualify for forgiveness of all or part of a loan received must now begin repayment within a year after leaving the state or terminating military service or graduate studies. Repayment is to be at a minimum of $50 a month. Previously the payback provisions took effect within six months.

Selection criteria have been changed to include consideration for students who are graduates of a high school outside the state. The new language, however, is somewhat unclear. It reads, "Priority shall be given to entering freshmen who are graduates of Alaska high schools or who are graduates of a high school outside the state if their Alaska residency has been continuous."

Also new is a requirement for the administering authority to weigh both academic ability and financial need in determining whether to award an applicant a scholarship grant or a scholarship loan.

Private School Support

Under the broad scope of the scholarship loan bill's title, the legislature also established a new series of conditions under which the state can now contract with accredited, privately-sponsored institutions of higher education in Alaska for the provision of educational services to Alaska residents. These agreements are to be made through the Alaska Higher Education Commission.

The state's payments to private institutions under the contractual agreements are to include:

- An amount equal to the difference between the full tuition and required fees charged by the private institution for each student and the same items at the University of Alaska or the appropriate community college; and

- An amount of $250 a semester for each full-time student and a pro rata amount for each part-time student.

No contract payments are to be made for courses in sectarian religion or partisan politics.

"G.I. Bill" for Education

Members of the Alaska National Guard were in effect given the G.I. bill for education under another measure which became law. It provides that each active member of the guard who has completed an initial voluntary enlistment period which fulfills the mandatory requirement for military service under the Selective Service Act of 1967 is eligible for educational assistance benefits in Alaska educational facilities.

The educational programs and monetary benefits available are based on and equivalent to those of the federal veterans administration education program.

Construction Bond Issue

The legislature also gave its approval to a $29.7 million general obligation bond issue that would fund a variety of projects as follows:

- $6 million for the University of Alaska joint library building at Anchorage. After years of work Alaska Methodist University and the Anchorage Community College (part of the University of Alaska) have agreed to construct a single library which both institutions will share. AMU and the Anchorage Community College are on adjoining property.
- $1.25 million for the Safety and Health building at the University of Alaska.
- $8.75 million for the Community College System, to provide new or expanded facilities in various parts of the state.
- $2.3 million for farm improvement facilities at Kenai and College.
- $1.5 million for utilities modernization at the University of Alaska.
- $4 million for Minerals-Biology Science building at the University of Alaska.
- $2.4 million for road, street, and parking facilities at the University of Alaska.

Prospects for the bond issue are somewhat unclear because of the company it will be keeping on the November ballot. Voters will be confronted with 11 separate general obligation bond issues totaling $146.2 million to vote upon. The preceding record total for bond propositions was $62.7 million in 1968, when the public approved all items except $18 million for ferries.

A separate piece of legislation increased the interest rate that can be paid on certain University of Alaska bonds authorized last year from seven percent to nine percent.

Student Activities Center

The legislature enacted necessary legislation for an unusual funding proposition, prompted by strong student desire at the university to have a campus activities center. The lawmakers would not go along with direct funding for the proposed center when they saw how many other higher education items appeared more urgent. They did agree, however, to set up a special "Campus Activities Center Revenue Fund" with $4 million in it, which they loaned to the university.

Under a plan that was perfectly acceptable to the students, the center is to be built and the $4 million repaid by annual payments of up to 25 percent of all student fees. Appropriations from the general fund into the special revenue fund are considered as long term loans with a maximum life of 30 years and annual interest of five percent.

Unsuccessful Legislation

This year's legislative session completed the two-year term of the Sixth Alaska State Legislature. Among the higher education measures that died a lingering death in committee are the following:

- Several measures relating to bonding for capital improvements or to scholarship grant and loan programs stayed in committee since they were not so generally attractive as the compromise measures enacted in those two fields.

- An Alaska Maritime Academy at Kodiak would have been created by Senate Bill 104. The academy would have been a college of the University of Alaska.

- A university faculty senate would have been created at the University of Alaska under the terms of Senate Bill 136. The senate would be made up of university officials and of representatives selected by the faculty. Its primary purpose would be to recommend policy to the Board of Regents and formulate procedures to carry out policy decisions of the board.

- Free university and college tuition for Alaskan residents would have been provided in certain cases under Senate Bill 202. No basic tuition fee would have been charged during the freshman or sophomore year at the University of Alaska or a community college, up to a maximum of 75 semester hours.

- An increase from the present 15 to 25 native scholarships to be awarded each academic year would have taken effect under the terms of House Bill 116.

- Initial steps to establish a law school at the University of Alaska would have been taken under House Bill 537. A total of $100,000 was designated to get things under way, permitting the hiring of a dean and furnishing him with an office and a secretary. The dean would have had the duty of planning the new school, including faculty, curriculum, a law library, and the physical plant.

- A board of regents for each community college in the state, responsible to the University of Alaska Board of Regents, would have been created under House Bill 701. Each board would have been given extensive powers to run its community college, subject to the approval of the university board of regents.

ARIZONA

Hal Marshall
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University of Arizona

PHOENIX, Arizona -- Higher education in Arizona received $98.9 million for operating and capital outlay expenses for 1970-71, an increase of $12.4 million over the 1969-70 budget. The Arizona Board of Regents received $84.8 million to support the three state universities, an increase of $9.4 million. Aid to 11 junior colleges, based on full-time equivalent students, was increased by $3 million.

Campus Disturbances

As usual, events of the day influenced legislative action concerning higher education. Senate Bill 174 to thwart campus disturbances appeared to be making little headway three months after it was introduced. Then came the invasion of Cambodia and the events at Kent State. The bill sailed through the house in the wake of campus protests.

The new act seeks to curb campus disturbances by providing maximum penalties of a $500 fine, a year in jail, or both. Each institution was given 90 days to adopt rules and regulations for the "...maintenance of public order on all property under its jurisdiction." The act assures prompt compliance by providing withdrawal of state aid to an institution if the rules and regulations are not adopted in accordance with the new law.

Several senators blamed the regents for not taking stronger action to control campus disturbances and asked for their resignations. Despite staunch defenders in the senate, the regents felt the wrath. The regents' budget for the first time was cut four percent below the previous year's appropriation. In addition, it was largely approved by the legislature on a line item basis for the first time.

Appropriations for Higher Education

Total legislative appropriations for higher education in 1970-71 will provide $98.9 million. Of that sum, $84.8 million will go to the regents for Arizona, Arizona State, and Northern Arizona University; the balance goes to the State Board of Directors for Junior Colleges.

Funds channeled to the 11 junior colleges under the board are determined by statute. The legislature appropriates $115 in capital outlay funds for each full-time equivalent student and $525 per FTE student for the first 1,000 at each institution and $350 for each student thereafter.

The regents suffered their biggest setback in the capital improvements category. They sought $47.1 million and received $12

million--$200,000 less than in 1969-70. The operating budget appropriation was $72.4 million, just $2.8 million below the amount sought by the three universities.

The general appropriations bill provided extra "salary adjustment" funds for "non-teaching personnel only." Each employee earning less than $8,000 annually received a three percent pay increase.

Then a supplemental bill was passed providing cost of living increases for all officers and employees of the state except elected officers and "...faculty members of state universities." The increases ranged from a combined eight percent total for those earning less than $8,000 to five percent for persons with incomes in excess of $15,000. The faculty received an approximate five percent pay raise, but missed out on the cost-of-living adjustments granted to other state employees in the final hours of the session.

Retirement for Public Employees

Bills passed by the legislature concerning higher education included two relating to retirement. One abolished the State Retirement System Board, but created a new board and subsidiary boards, including one appointed by the regents. Management and investment responsibilities were also changed.

A second bill established a fixed benefit (certain percentage of highest salary) retirement plan for public employees, provided 70 percent of those eligible to participate vote to switch to the new plan.

Faculty representatives from Arizona and Arizona State asked the House Committee on State Government to allow university personnel to remove their retirement benefits to a national education fund after five years under the state plan. This provision was not added to the bill when a Phoenix actuary told the committee the actuarial balance might be disturbed if the withdrawals were allowed.

Revenue Bonds

Junior college districts and other political subdivisions of the state gained help from the legislature when it lifted interest rate limitations for certain bonds. In most cases the percentage ceiling went from six to nine.

The legislature also authorized the University of Arizona to issue $1 million in revenue bonds if necessary to complete a new physical education facility. Bids were almost double the $4.5 million available for the project when opened in 1969. Capital outlay funds for 1970-71 can also be used for the facility.

Campus Security Officers

The lawmakers authorized the appointment of security officers for junior colleges. This authorization was included in legislation outlining duties of district governing boards for the two-year colleges.

Unsuccessful Legislation

A number of familiar bills from prior sessions reappeared, but again failed to win approval. The following were among those that stalled in the legislature:

- One bill provided for the appointment of a chancellor for the state universities. The offices of the university presidents would be abolished and the chancellor would appoint administrators for each institution. The chancellor would be appointed by the governor for an eight-year term.

- A house bill sought an enrollment limit of 25,000 for universities. Both Arizona and Arizona State have enrollments just in excess of 25,000. A senate proposal listed a 30,000 maximum with 10,000 students being the limit for any university branch campus.

- HB 305 sought creation of a state board of higher education, a commissioner of higher education, institutional councils, and over-all direction of higher education.

- SB 30 proposed legislative guidelines for expulsion and readmittance of university students following conviction of criminal action on campus.

- SB 265 sought regent authority to grant waiver of fees to qualified students from families with incomes of less than $4,000 annually. Students with insufficient funds not living with their families also qualified if they had contributed to their own support for at least the last year of high school.

- SB 246 continued a long-standing effort to authorize the state to pay for 50 percent of the total cost of health and accident insurance for its employees. The bill dies in the house. And as usual, the legislature specified that its appropriation to the universities could not be expended for life or health or accident insurances.

Other bills that made little progress in the second session of the 29th Arizona Legislature proposed:

- $500,000 for development of a sixth junior college in Maricopa County.

- A new four-year university for liberal arts and education.

- A grant of $250 per semester to an Arizona resident attending a private college or university in the state.

OPERATING BUDGET FOR ARIZONA HIGHER EDUCATION

INSTITUTION OR DISTRICT	1970-71	1969-70	Percent Change
Arizona Board of Regents	$341,563	$329,140	-4.1%*
University of Arizona			
A. Main Campus	$31,250,684	$25,009,518	12.9%*
B. Medical Center	$7,218,617	$3,090,089	119.7%*
Arizona State University	$24,810,447	$20,982,123	7.5%*
Northern Arizona University	$9,183,681	$7,216,292	16.0%*
Arizona Western College	$722,400	$734,650	-1.7%
Cochise College	$600,600	$600,250	.05%
Eastern Arizona College	$577,150	$574,000	.54%
Maricopa Junior College District	$6,671,350	$5,876,850	13.5%
Central Arizona College	$595,000	$420,525	41.4%
Yavapai College	$393,750	$393,750	0.0%
Pima College	$1,293,250		0.0%
Arizona Junior College Board	$103,434	$92,127	12.3%
TOTAL	$83,761,926 ($77,230,508)**	$65,319,314	18.2%*

*Percentages weighted because 1970-71 regents and university budgets include funds for retirement, FICA, and workmen's compensation. In prior years these funds were in the state auditor's budget.

**Adjusted total excluding retirement, FICA and workmen's compensation funds.

CAPITAL OUTLAY BUDGET FOR ARIZONA HIGHER EDUCATION

INSTITUTION OR DISTRICT	1970-71	1969-70	Percent Change
University of Arizona	$4,500,000	$5,500,000	-18.0%
Arizona State University	$4,500,000	$4,300,000	4.6%
Northern Arizona University	$3,000,000	$2,400,000	25.0%
Arizona Western College	$179,860	$183,885	-2.2%
Cochise College	$139,840	$139,725	.05%
Eastern Arizona College	$132,135	$131,100	.78%
Maricopa Junior College District	$2,134,515	$1,873,465	13.9%
Central Arizona College	$138,000	$92,115	49.8%
Yavapai College	$86,250	$86,250	0.0%
Pima College	$367,425		0.0%
TOTAL	$15,178,025	$14,706,540	3.2%

CALIFORNIA

Larry Stammer
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SACRAMENTO, California -- Higher education--its needs, its problems, and its promise--dramatically commanded the attention of the California Legislature during the 1970 session which ended August 21.

The nine-month session, longest in California history, was punctuated by renewed legislative thrusts at campus unrest.

It also witnessed:

- The defeat of legislation renaming state colleges as "state universities";
- New steps toward recognizing community colleges as full and equal partners in the system of higher education; and
- Defeat by voters of a June ballot proposition, which had bipartisan support, that would have authorized the sale of $246.4 million in bonds to build new medical school facilities for the university.

Budget problems, particularly an unexpected $141 million deficit which developed after the governor had submitted his record $6.48 billion 1970-71 state budget to the legislature, and the crucial 1970 November election were added factors which helped shape the legislature's approach in dealing with higher education.

Response to Campus Unrest

It has been clear to the legislature for several years that taxpayers are "fed up" with campus unrest. They are frustrated by the seeming inability of institutions of higher education to cope successfully with the problem.

This frustration manifested itself, in the view of many legislators, when voters defeated a $246.4 million bond issue to finance new university medical school facilities. The ballot measure went down to defeat even though it enjoyed bipartisan support in the legislature, and the medical school had remained essentially removed from the spectre of campus violence.

The political overtones of such a vote could not be ignored. Just a month before the June election, Governor Ronald Reagan went on statewide television and dramatically announced that he had ordered the closure of the state's vast university and college system as student antiwar protests continued to mount.

All 28 of the university and college campuses were closed effective Thursday, May 7. They remained closed through the weekend. The governor urged the state's 92 community colleges to follow suit.

In a statewide radio and television address, Reagan said, "It is essential for our college and university faculty, students, and administrators to reflect on the grave sequence of current events and to consider their responsibilities to themselves and our society."

Predictably, reaction in the legislature was split along partisan lines, although members of both parties condemned violence.

State Assemblyman George Milias, Republican from Gilroy, perhaps signaled the subsequent legislative reaction when he said, "The sooner the schools move in the direction of enforcement of the regulations and the laws, the sooner such unlawful activities will be controlled."

Faculty Salary Freeze

During the previous 1969 session, the legislature had enacted new laws aimed at assisting leaders in higher education to crack down on campus militants. But the effectiveness of the 1969 action appeared questionable. A decision was made by the 1970 legislature to hit the educators where it hurts, in the pocketbook.

Thus as the senate and assembly hammered out their versions of the 1970-71 state budget, each approved a five percent across the board pay hike for all state employees--all state employees except university and college faculty members.

Reaction from the university and college system was one of disbelief. Most observers felt that although the fiscal committees in both houses had cut the $18.6 million in faculty pay hikes from the budget, ultimately they would be restored. Governor Reagan had recommended faculty salary increases to keep up with the cost of living.

But it became clear as the deadline for enactment of the budget drew near that the legislature was determined not to give faculty members a pay hike. The legislature was not bluffing.

A subsequent disclosure that the budget was $141 million out of balance (because of higher than anticipated health and welfare costs and lower than expected revenues) served to lock the legislature into its stand against faculty pay hikes.

Faculty Tenure System

While the legislature denied faculty members a pay hike, it refused to approve various bills that would have virtually abolished the tenure system.

The legislature killed legislation requiring employees of community and state colleges to be hired on two-year contracts instead

of on a permanent tenure basis after probation. Another defeated bill--directed toward striking faculty members--would have forbidden colleges from rehiring a teacher for a five-year period after he had been absent without leave for more than five days.

Another bill would have stripped tenure from teachers in elementary and secondary schools and college faculty members who went on strike.

However, the legislature did send to the governor a bill allowing schools and community colleges to suspend an instructor for "...willful refusal to perform regular assignments without reasonable cause." The bill (Assembly Bill 2445) was sponsored by State Assemblyman John Collier, Republican from Pasadena.

"Incentive Teaching"

"Incentive teaching" in state colleges was a favored bill of State Senator Clark L. Bradley, Republican from San Jose. His bill was killed but it sparked some interest in the legislature. It would have encouraged state college faculty members to teach more class units each week than required. In return, their salaries would be increased for all units taught exceeding a 12-unit minimum.

Bradley argued the plan would save the state money by requiring fewer instructors and by reducing the need for building more classrooms. But the state college system opposed the concept, declaring students would get less individual attention.

Appropriations for Higher Education

Governor Reagan in his original 1970-71 budget proposed $333 million as general fund support for the University of California, compared to $374 million sought by university regents. The legislature allowed $337 million.

The governor also asked $8.6 million for university faculty pay increases and $6.7 million for non-faculty salary increases. The regents asked $12.4 million for the faculty and $6.7 for non-faculty.

However, the legislature cut the entire $8.6 million allocation for increased academic salaries because of campus unrest. It approved the non-faculty salary increases.

While the regents proposed a capital outlay budget of $82.9 million, the governor asked for only $16.3 million and the legislature trimmed that to $10.9 million.

Turning to state colleges, trustees proposed general fund support of $335.6 million and salary increases costing $42.8 million. However, the governor proposed to limit general fund support to $314 million, with $14.7 million earmarked for salaries.

The legislature cut general fund support to $310.5 million, eliminated all funds for academic employee salary increases, and approved $4.7 million for non-academic salary hikes.

Trustees asked $108.8 million for capital outlay and the governor proposed $34.8 million. The legislature allowed $22.4 million.

As a comparison, here are the sums allowed in the previous year by the 1969 legislature:

- University of California general fund support, $315.4 million; university salary hikes, $15.4 million; university capital outlay, $35.5 million.

- State college 1969 general fund support, $278.2 million; state college salary hikes, $13.1 million; state college capital outlay, $36.7 million.

Proposed Name Change

The legislature defeated a bill that would rename every state college as a "state university." Originally, the bill would have authorized the coordinating council on higher education and state college trustees to develop criteria which colleges would have to meet before they could be considered a state university.

But when the bill by State Assemblyman E. Richard Barnes, Republican from San Diego, reached the Senate Finance Committee, it was amended by the committee chairman to simply rename every state college a university, regardless of merit. The amendment was the chairman's price for not killing the bill outright. However, the amendment may have spelled the defeat of the bill when it reached the senate floor.

Proponents of the legislation argued that California's state colleges are equal in stature to out-of-state "universities." But they said California students and faculty members are penalized by the name "college." Opponents of the bill charged it was a "subterfuge" that would lead to higher costs because the colleges would be competing to attain university status. They also argued that faculty members would teach fewer hours per week.

Community College Legislation

While state colleges lost their battle to be renamed, "junior colleges" did better. Legislation was approved which redesignated "junior colleges" as "community colleges."

"There is nothing 'junior' about a two-year institution of higher education," argued State Senator Donald Grunsky, Republican from Watsonville, who introduced the name change bill.

Grunsky also sponsored a community college master plan bill which makes it state policy that every portion of the state shall be included in a community college district. The bill (Senate Bill 511) requires that on or before September 15, 1973, the county committee on school district organization of each of the 58 counties shall submit to the Board of Governors of the California Community Colleges plans and recommendations for the inclusion of all of the territory of the county in one or more community college districts.

Other Approved Legislation

The legislature also took positive action on the following bills:

- Legislation requiring confirmation by the state senate of the governor's appointments to the board of trustees of the state college system was approved.

- California's 92 community colleges were authorized to raise their out-of-state student fees under legislation approved during the 1970 session.

  Community colleges have been able to charge up to $390 for out-of-state students and the state pays the college $125 in basic aid. Under the new legislation, colleges can charge up to $678 in out-of-state fees. This sum is reported to be the average current cost of instruction minus basic state aid. Last year, more than 12,000 out-of-state students attended California community colleges.

- Although the concept is embodied in the state's master plan for higher education, this year the legislature officially declared that all resident applicants qualified by law shall be admitted to the state's higher education system. This system includes community colleges, state colleges, and the university. The final bill is weaker than originally proposed because it does not guarantee admission into a specific branch of the higher education system, such as the nine-campus university.

- The legislature approved a resolution urging the university regents to create a "Regents Committee on Student Affairs" as a permanent committee, with membership composed half of students and half of regents.

- An assembly concurrent resolution was passed asking the university regents to establish probationary employment practices for all academic employees before granting tenure. Currently, it is university policy to grant tenure upon employment with no probationary period to academic staff hired at the rank of associate professor and above.

- The balance of power on the California Coordinating Council for Higher Education was shifted to "public" members as a result of passage of Assembly Bill 73. This measure reduces from three to one each the representatives of the University of California, the state colleges, the community colleges, and the private colleges and universities.

Unsuccessful Legislation

Legislative proposals which failed to win passage during the 1970 legislative session included the following:

- A constitutional amendment reducing the terms of regents of the university from 16 to 10 years was killed in committee. The

bill also would have required a two-thirds vote of the senate for confirmation of the governor's appointments to the board of regents.

- Efforts to impose tuition at the state colleges were defeated.

- Legislation eliminating the mandatory physical education requirement in community colleges was defeated.

GENERAL APPROPRIATIONS FOR CALIFORNIA HIGHER EDUCATION

UNIVERSITY OF CALIFORNIA SYSTEM	1970-71	1969-70	Percent Change
General Fund Support	$337.0 million	$315.4 million	6.8%
Salary Increases	$6.7 million	$15.4 million	-56.4%
Capital Outlay	$10.9 million	$35.5 million	-69.3%
STATE COLLEGE SYSTEM			
General Fund Support	$310.5 million	$278.2 million	11.6%
Salary Increases	$4.7 million*	$13.1 million	-64.1%
Capital Outlay	$22.4 million	$36.7 million	-39.2%

*Non-faculty only

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COLORADO

Tom Gavin
Staff Writer
The Denver Post

DENVER, Colorado -- Colorado's Commission on Higher Education, threatened with abolishment legislation a year ago, was enlarged and strengthened during the "short" 1970 session of the Colorado General Assembly.

Summary of Legislation

Legislators also:

- Appropriated $168.3 million in higher educational operating funds for 1970-71, an increase of $25 million or 17.5 percent over 1969-70.

- Approved $34.5 million in construction projects at institutions of higher learning during the fiscal year beginning July 1, 1970.

- Gave a go-ahead--and $1.4 million in land acquisition money--to a planned new higher education center in downtown Denver.

- Rejected a constitutional amendment proposing sharp curtailment of the fiscal independence and spending authority now enjoyed by the University of Colorado's elected Board of Regents.

- Authorized a new interim study of intercollegiate athletics at state universities and colleges--an outgrowth of a $492,800 athletic fund deficit at Colorado State University. The large red-ink problem, which the legislature refused for the second time to solve with an appropriation, has led to a sharp increase in mandatory fees levied against CSU students. And the fee boost, in turn, has fed student unrest on the Fort Collins campus.

- Permitted, when asked a second time in as many years, Colorado State College at Greeley to change its name to University of Northern Colorado.

Commission on Higher Education

The Commission on Higher Education has had a stormy existence since its formation as a unit to review budgets, coordinate programs, and draw up development plans for state-supported institutions of higher learning.

Chief among its problems has been the wrath of individual legislators who feel higher learning institutions in their districts are being discriminated against when they're not permitted to expand as their administrators wish. A serious attempt was made

by some angered lawmakers to abolish the commission last year, and it took pressure from Governor John Love to bottle up the abolishment bill in committee.

This year, though--after an interim legislative study--the general assembly mood was different. And emerging from the session was a bill expanding the commission's membership from seven to nine persons, enlarging its advisory committee from nine to fourteen, and clarifying and enlarging its statutory powers to:

- Give the commission the initiative in establishing uniform financial reporting systems for state-supported higher educational institutions.

- Provide for full review authority over all capital construction projects, no matter what the source of funds.

- Require that the commission approve project plans before the legislature appropriates physical planning or construction funds.

- Give the commission, in effect, veto power over new higher educational programs, including establishment of any new curriculum which could lead to a new degree program or creation of a new college, school, or department.

The commission will continue to function basically as a planning and research agency which, after consultation with administrators and governing boards, will develop recommendations for statewide higher educational plans designed to coordinate overall educational efforts.

Enlargement of the Commission on Higher Education's advisory committee ratifies an unofficial act which placed on the committee a student selected by the Colorado Collegiate Association and a representative of the independent colleges. It also allows institutional governing boards to designate anyone they choose to represent them, and the change is expected to result in designation of one or more college or university presidents.

Appropriations for Higher Education

College and university operating budgets approved by the Colorado General Assembly included:

- $36.9 million for the University of Colorado and its branches, an increase of $3.5 million or 10.5 percent more than estimated 1969-70 spending.

- $24.1 million for Colorado State University, a $2.5 million or 11.6 percent increase.

- $32.9 million for the state college system which includes Colorado State College (now University of Northern Colorado), an increase of $4.6 million or 16.6 percent.

- $4.6 million for the Colorado School of Mines, an increase of $332,607 or 7.6 percent.

- $2.5 million for Fort Lewis College, in Durango, an increase of $214,553 or 9.3 percent.

- $13.3 million for the six two-year institutions in the state community college system, an increase of $3.8 million or 40.5 percent. Another $4.4 million in state aid went to local district-controlled junior colleges, a reduction of $247,523, or 5.2 percent less than the 1969-70 total grant.

The $34.5 million in higher educational capital construction approved by the legislature was less than half the $72 million requested by the institutions themselves, but only slightly under the $35.9 million recommended by the Commission on Higher Education.

Governor Love set a legislative precedent this year by having his own "long" appropriation bill introduced into the assembly instead of just making budget recommendations to the legislature. The introduction had little noticeable effect, however, as lawmakers continued to pay close attention only to the long bill offered by the legislature's Joint Budget Committee.

The assembly's final figures were not far from those of the governor in higher educational areas, however. The legislative total of $101.2 million for all four-year institutions, for instance, was but $715,187 less than the governor's recommendation. The $17.8 million total appropriated for all forms of community colleges was $569,110 more than the governor suggested.

Student Financial Aid

Legislators expanded two programs designed to aid racial minorities. Both programs had been approved initially by the 1969 legislature following peaceful demonstrations by Colorado State University students.

The first, a "work-study program" designed to help needy students supplement their incomes was doubled to a $600,000 total. The second, a teacher incentive program providing scholarship assistance to resident minority group members who agree to teach in Colorado schools at least two years after being certificated, was expanded from a $75,000 to a $100,000 program.

Appropriations "Footnotes"

For the second year the governor and the legislature engaged in a quiet test of strength on the matter of legislative "footnotes" to the long appropriation bill.

Joint Budget Committee members attempted to nail down their policy recommendations in fiscal matters by writing specifics into appropriations bills--such things as how much can be paid for an acre of land, what tuition levels are to be, and how many square

feet a new building is to have.

One set of footnotes, for the second successive year, attempted to fix tuition ceilings at four state-supported institutions of higher learning by declaring that any increase in student tuition charges above the amount estimated in the schools' approved budgets would result in an equivalent decrease in the institutions' general fund appropriation.

The governor, deeming the footnotes a legislative invasion of executive department authority, vetoed a number of them in 1969--and again this year. Included in the vetoes was the tuition-level rider inserted by legislators.

Auraria Education Center

Dominant in the 1970 legislative session was a bill authorizing state participation in the "Auraria" education center project, which takes its name from the section of lower downtown Denver to become the joint campus site.

A $12.4 million federal grant was available for the impressive project and Denver voters had earlier approved a bond issue of up to $6 million for the city's participatory share. But the Auraria project became involved in a series of legislative vote-trading arrangements and, for a time, it appeared it might not receive approval.

An okay was received late in the session, though, and $1.4 million--the first phase of an ultimate state share of $5.6 million--was authorized for land acquisition, and another $543,000 in planning money was also approved.

The 169-acre site will ultimately house campuses of the five-year-old, but scattered, Metropolitan State College and the downtown branch (one of three) of the Community College of Denver. The two campuses with shared facilities will adjoin the present University of Colorado Denver Center.

University Board of Regents

Killed when it failed to attain the necessary two-thirds majority was a constitutional amendment which would have asked the state's voters to strip University of Colorado regents of their constitutionally-granted "...exclusive control and direction" of university funds.

Regents of the university are the only elected governing board for an institution of higher learning in the state, and their constitutional independence has frequently vexed the legislature.

Killed too, though, when the house added the language intended to bring regents to fiscal heel, was a senate-passed measure which in its original form had been designed to enlarge the board of regents from six to nine members and to remove the university president as a tie-breaking vote on the board. The awkwardness

of having to break ties on the politically-divided board was cited as one of the reasons for the recent resignation of a CU president.

Study of Intercollegiate Athletics

The interim study of intercollegiate athletics in Colorado, and in particular the manner in which they are financed, follows failure for the second year of attempts to get the legislature to bail out the debt-plagued Colorado State University. CSU has had not only a $492,800 athletic fund deficit, linked to inadequate gate receipts at a new $3 million football stadium at the school, but a highly publicized accounting snarl which has made it difficult to analyze the fiscal problem.

Joint Budget Committee members recommended that the legislature appropriate funds to pay off the deficit, but GOP majority members decided against that course late in the session. The decision has the effect of forcing students to make up the shortage through higher mandatory student fees already voted by CSU's governing board.

The fee increase has caused strong student dissension, however, and at one point a campus strike was threatened.

The interim study committee is charged with the responsibility of examining accounting procedures in all state-supported schools' athletic programs to see whether tax funds are finding their way into the programs which are supposed to be financed from non-tax sources.

Other Legislation

A Pueblo effort to expand by an additional two years the engineering course at Southern Colorado State College was rejected by lawmakers, but only after a long debate and charges of supposedly-illegal vote-trading deals. The expansion had not been approved by the Commission on Higher Education.

Although only marginally related to campuses around the state, the legislature also:

- Approved a constitutional amendment which, if approved by voters in the fall, will lower the minimum voting age from 21 to 19 in Colorado.
- Approved two bills to expand drug and alcohol education programs for children of the state.
- Approved legislation making it a felony unlawfully to possess high explosives or fire-bombs in Colorado.

OPERATING FUNDS FOR COLORADO HIGHER EDUCATION

INSTITUTION	1970-71	1969-70	Percent Change
University of Colorado	$36,977,131	$33,455,441	10.5%
Colorado State University	$24,159,993	$21,639,120	11.6%
State College System	$32,927,719	$28,239,421	16.6%
Colorado School of Mines	$4,684,066	$4,351,459	7.6%
Fort Lewis College	$2,509,410	$2,294,857	9.3%
Community College System	$13,379,063	$9,520,102	40.5%
Local District Community Colleges	$4,482,000	$4,729,523	-5.2%
University of Colorado Medical Center	$24,516,906	$22,202,222	10.4%
Commission on Higher Education	$1,226,287	$857,533	43.0%
TOTAL*	$168,350,307	$143,277,316	17.5%

*Includes varied smaller appropriations not listed here.

HAWAII

William H. Donham
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Honolulu Star-Bulletin

HONOLULU, Hawaii -- The Hawaii State Legislature approved a record $61.5 million operating budget, 30 percent over last year's budget, for the University of Hawaii's next school year. The appropriation was $2.5 million over what Governor John A. Burns recommended, but $5.4 million below what the university itself wanted.

"We are grateful," Richard H. Kosaki, university vice president, said. "They chided us...but at the end they gave us most of the money we needed and encouraged us to experiment and innovate."

Appropriations for Higher Education

The lawmakers, criticizing the university for its spending, removed the lump-sum budgeting system by which the university had previously received a total sum of money to spend as it pleased. Instead, the legislature instituted a modified lump-sum budget, dividing the money between major divisions. The university still may spend the money inside each division as it sees fit.

The new budget includes $28.4 million for instruction, $10 million for research, $5.4 million for extension and public services, and $11 million for Hawaii's six community colleges.

The budget includes one unique item -- $25,000 to review and coordinate peace research projects. It also beefs up the student loan fund by another $250,000 and includes $100,000 to help students find rooms in Hawaii's tight housing market.

Law and Medical Schools

The university's new president, former NATO Ambassador Harlan Cleveland, had recommended a four-year law school, but neither the house nor senate went for it. The senate wanted a four-year medical school, but the house rejected that. Instead, the legislature called for feasibility studies for both schools.

Emphasis on Undergraduate Education

President Cleveland, in his first year's appearance before the state legislature, urged expansion of the university's research projects, but the legislature put clear emphasis on the need for expanding undergraduate education. The lawmakers noted that during the last decade, enrollment jumped from 6,923 to 18,474 students.

Student Unrest

Student unrest again was a topic at the legislature, especially when student activists broke into the ROTC building and held it for several days during the session.

Several Republicans called on the university administration to expel all students and faculty members who took part in the

demonstration. But Democrats killed a resolution to that effect in the state senate, where they outnumber the Republicans seventeen to eight.

However, campus unrest was blamed for killing a bill aimed at placing at least one student on the board of regents.

Student Lobbying

Student lobbyists at the legislature found that they were well received. University students successfully lobbied for a bus service on campus. And community college student leaders successfully pleaded for more money. They got an extra $1.4 million for workload increases that will allow the six colleges to continue their "open-door" policy of admitting anyone who wants to enroll.

Other Successful Legislation

Here is a summary of other noteworthy action in the legislature this year:

- The university got $300,000 to plan a second campus on Oahu Island, where Honolulu is located, to take the load off the main campus.
- The Hilo campus on Hawaii Island was expanded into a four-year institution.
- The university got $10 million, including $2.7 million in cash, to build badly-needed student dormitories.
- It got another $2 million for multi-story parking structures.
- And it received $100,000 to plan a statewide university system.

IDAHO

John Corlett
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The Idaho Statesman

BOISE, Idaho -- The second session of the 40th Idaho Legislature struggled almost as hard with a relatively small supplemental appropriation for higher education as it did with the biennial money bill in 1969's first session.

Summary of Action

The 1970 second session was strictly a continuation of the 74-day session of 1969, and ultimately it appropriated a supplemental lump sum of $1.35 million for higher education. This brings the total for higher education in Idaho for the 1969-71 biennium to $49.5 million.

The second session's chief achievement was approval of a full revision of the 81-year-old Idaho Constitution. The people will vote on the revision in November.

Other than the supplemental appropriation, the second session devoted little attention to higher education. Other actions included:

- Establishing an Eastern Idaho Vocational School in Bonneville County (Idaho Falls).

- Directing the State Board of Education to adopt uniform standards and rules applicable to all colleges and universities regarding resident status and tuition of students.

- Authorizing the State Board of Education to establish vocational or other educational classes at two Job Corps Centers abandoned by the federal government. This was an effort to obtain state ownership of the centers.

The proposed revision of the constitution would establish a single state board of education to supervise the institutions of higher learning and the public school system, and would eliminate a provision for a board of regents for the University of Idaho.

The revision would retain the corporate and constitutional powers of the University of Idaho at Moscow, created before Idaho became a state, but would vest those same powers in all the other institutions of higher learning--Boise State College, Idaho State University at Pocatello, Lewis-Clark Normal School at Lewiston, and other like institutions which may be created.

The present State Board of Education supervises and administers these schools, but it acts only as a board of regents for the University of Idaho.

Under the revision, the board would consist of no more than fifteen or fewer than nine members, all appointed by the governor. The executive director of higher education and the state superintendent of public instruction are ex-officio members and, under a ruling by the attorney general, have full voting powers on the board.

Appropriations for Higher Education

In the first session of the 40th legislature a year ago, the house and senate battled for nearly four weeks over the size of the higher education appropriation, with a compromise finally prevailing. A similar controversy occurred over the supplemental appropriation in the second session, delaying final adjournment for nearly ten days. The second session lasted 55 days.

At the start of the second session, Governor Don Samuelson submitted a supplemental general fund budget of only $4.2 million, including $1.43 million for higher education in a lump sum. The first session had appropriated $221 million from the general fund, including $48.15 million for higher education.

After six weeks of hearings and executive sessions, the Joint Senate Finance-House Appropriations Committee submitted a recommended supplemental budget of $5.9 million, including $1.49 million for higher education. The State Board of Education had requested $1.8 million.

In an economy move, the senate Republican and Democratic leadership joined in advocating a 25 percent across-the-board cut of the joint committee's $5.9 million recommendation. The leadership asked that the higher education money bill be trimmed to $1.29 million. By this time the governor's own budget requests had grown to $5.2 million, but still included $1.43 million for higher education.

The house objected to the senate's demands for the across-the-board cuts and the house leadership said it would consider the appropriations on basis of need. In a test between the two houses, the senate slashed 25 percent from the public health money bill and the house restored it. An informal conference committee was created and it recommended what amounted to about a 12 percent cut of the joint committee's recommendation for all appropriations.

Despite this action, the senate passed a higher education bill for $1.29 million. The house rejected it and then a decision was reached on the $1.35 million figure, only $55,000 greater than the senate action. When all the smoke had cleared, the legislature's general fund supplemental appropriations totaled $5.2 million, or the figure sought by the governor.

Although the $1.35 million was appropriated in a lump sum, under priorities established by the State Board of Education in

testimony before the joint committee, it will be divided $784,682 for Boise State and $132,750 for Lewis-Clark (these two institutions showed a 32 percent enrollment increase in September, 1968); $209,286 for the University of Idaho 1969 summer session; $133,145 for equipping a new Life Sciences building at ISU; and $90,000 for the Office of Higher Education.

New Vocational-Technical School

The creation of a vocational-technical school in Bonneville County establishes another educational institution. The first session in 1969 had authorized a "vocational center" at Idaho Falls and appropriated $250,000 to purchase or construct a building.

However, the State Board for Vocational Education, composed of the same members as the State Board of Education, did not have authority to obtain title to property in Idaho Falls. An effort was made to operate a center under Idaho State University's vocational school just 50 miles away, but Idaho Falls objected.

Therefore, the second session created a new institution and gave the State Board for Vocational Education authority to obtain title to property.

Student Residency

The second session passed a law setting up specific definitions of resident students enrolled at Idaho's institutions of higher learning. The state board has struggled with the problem for years.

The law provides that "...the State Board of Education and Board of Regents for the University of Idaho may prescribe rates of tuition for non-resident students, and shall adopt uniform regulations, including a standard definition of a full-time regularly enrolled student, applicable to all said colleges and universities."

Basically the residency test is compatible with such tests in other areas (fish and game licenses, etc.), and a student's domicle becomes proof of residency.

Job Corps Centers

The second session appropriated $50,000 to the State Board of Education and asked it to establish a vocational school or other classes at the Mountain Home Job Corps Center under supervision of Boise State College. The center is about 40 miles southwest of Boise. The board was asked to use part of the $50,000 to establish similar classes at the Cedar Flat Center near a Wilderness Area on the Clearwater River in North Idaho. This school would be supervised by Lewis-Clark Normal School, located about 80 miles away.

The action was taken with hopes the federal government would turn the centers over to the state to own and operate.

NEW MEXICO

Bill Feather
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The Associated Press

SANTA FE, New Mexico -- The New Mexico Legislature exhibited a critical attitude toward the public university system during the 30 days of its 1970 budgetary session.

Appropriations for Higher Education

Institutions of higher education, however, fared rather well financially in the final analysis, with the legislature approving a total general fund appropriation for 1970-71 of $41,624,501. This total is a 15.2 percent increase over the $36,126,500 in state funds appropriated for 1969-70. And significantly, it is a quarter million dollars more than the amount recommended by the State Board of Educational Finance, the higher education budgetary agency whose advice is usually followed closely by the legislature.

Mingled with tuition payments, trust fund revenues, federal funding and some miscellaneous state income, the general fund appropriation will allow a total expenditure of $121 million during 1970-71.

The state appropriation increase would provide for an average increase in faculty salaries of 6.1 percent. This average is based on a six percent increase at the University of New Mexico and New Mexico State University, the biggest institutions, and at New Mexico Institute of Mining and Technology; and a seven percent increase at Highlands University, Western New Mexico University, and Eastern New Mexico University.

It also is proposed to increase non-professional staff salaries by an average of ten percent, to enable the universities to compete for labor in the local markets.

University Investigating Committee

Four bills which reflected the legislature's concern over the national activist movement on the university campuses were introduced in the session. These bills were the net result of a nine-month study by the legislature's University Investigating Committee, created during the final hours of the 1969 legislature.

Even though the committee investigation covered all the public institutions, there was no doubt its scrutiny was centered upon the University of New Mexico, where the incident occurred which engendered the probe. This incident involved the use of an allegedly obscene poem as course material in freshman English classes at UNM.

Two of the University Investigating Committee bills were directed toward curbing potential trouble on the college campuses. One of these measures specifies the offense of campus trespass and prohibits interference with university staff and students engaged in lawful use of the campus. The other would have given the chief of the New Mexico State Police jurisdiction over campus security forces.

A third committee bill would have compelled testimony from witnesses summoned before a grand jury or to a district court trial in certain instances. This bill also would have enabled authorities to grant immunity from prosecution to witnesses who were compelled to testify. The bill was intended to be a legal weapon in the fight against a serious narcotics traffic problem.

The fourth bill perpetuated the University Investigating Committee as a permanent adjunct of the legislature.

The four bills passed the senate where they were introduced by Democratic Senator I.M. Smalley of Deming, the chairman of the Investigating Committee.

But the house killed the witness immunity-compelled testimony bill. Representative Walter Martinez, a Grants attorney and chairman of the House Judiciary Committee, pointed out that narcotics traffic violates both state and federal law and the proposed bill could in no way grant immunity from federal prosecution in the event of self-incrimination through compelled testimony.

The other three bills were approved by the house after the measure to continue the Investigating Committee was amended to set a deadline of July 1, 1971 for it to go out of existence.

Governor David F. Cargo signed the campus trespass measure. But he vetoed the bill to give the state police chief jurisdiction over campus security forces. Cargo said he was advised by the attorney general that the state police chief had such jurisdiction, so the bill was unnecessary. And a riot control law enacted by the 1969 legislature gave the governor extensive unilateral powers to act immediately in the event of an emergency, Cargo said.

Two incidents at the University of New Mexico within a few days after adjournment of the 1970 legislature apparently had an effect on the fate of the Investigating Committee bill.

The UNM-Brigham Young University basketball game February 28 was disrupted as a small group of students threw debris, including balloons purportedly filled with turpentine and glue, on the playing floor.

A few nights later a small group of students disrupted a scheduled speech in the UNM Student Union Building by U.S. Senator J. Strom Thurmond, Republican from South Carolina. The group was so persistent that Senator Thurmond was compelled to cancel his speech, which had been arranged by the Student Speakers Bureau.

Governor Cargo had been lukewarm toward the investigating committee bill and had indicated by some critical remarks that he would like to veto the measure. But the governor reacted strongly to the Thurmond incident and signed the bill into law. The treatment of Senator Thurmond at UNM was believed to have influenced his decision.

Constitutional Revision

The University Investigating Committee had been severely critical of the UNM Board of Regents, contending its members had delegated their legal authority to too large a degree to the university administration and to the faculty. This dissatisfaction was expressed in the fall of 1969 as a constitutional convention met in Santa Fe to write a new state constitution.

The existing constitution provides for appointment of university regents by the governor with the consent of the Senate. And it provides for removal for cause, giving the New Mexico Supreme Court exclusive jurisdiction over removal proceedings. But the constitution is silent as to who has the authority to initiate removal proceedings against a regent.

The education article of the proposed new constitution drafted by the convention specified that the governor or the Senate had the authority to initiate removal. But the new constitution was rejected by New Mexicans at a special election in early December.

The 1970 legislature, however, salvaged the section relating to initiation of removal of regents. A proposed constitutional amendment to be voted on in November would empower the governor to begin removal proceedings for cause or allow the Senate to initiate such action by a two-thirds vote of all members.

Student Financial Aid

There was considerable bitter debate during legislative action on the investigating committee bills. The legislators followed a more serene course in enacting several measures which should broaden the opportunity for New Mexicans to attend college.

The most important of these new laws is one creating a revenue bond-financed student loan fund. This bill was the endeavor primarily of Representative William O'Donnell, who entered the legislature in 1969 after retiring as a vice-president of New Mexico State University at Las Cruces.

The Board of Educational Finance took steps immediately after the bill was signed into law to implement it by the fall of 1970. A steady flow of requests for information about the program is

evidence of the need.

Loans will be made available to New Mexico residents attending both the public universities and the private institutions in the state. Representative O'Donnell also sponsored a back-up plan--a proposed constitutional amendment to allow the state to participate in a student loan program for residents attending the public universities. The attorney general had given an opinion, however, that the broader program provided in the student loan act did not violate the constitutional prohibition against payment of public funds in aid of private persons or enterprises.

A related law enacted by the 1970 session gives the New Mexico State Investment Council, the custodian of the state's $390 million permanent fund, authority to invest the fund in that portion of student loans guaranteed by the federal government. This law will enable New Mexico banks to transfer 90 percent of the financing of such loans to the state.

Another bill increases gratis scholarships awarded by the public institutions. In the past, the institutions have been authorized to give gratis scholarships equal to two percent of the enrollment; this was increased to three percent.

Another successful measure concerned with higher education is a memorial to the United States Congress to consider increasing benefits for students attending college under the G.I. Bill of Rights.

Special University Programs

The legislature continued to hold a tight rein on financing of new special programs at the universities.

It did, however, appropriate $140,000 as the first state share of a College Enrichment Program at UNM. This program, which has been financed since September, 1968, by the Upward Bound branch of the federal Office of Economic Opportunity, is intended for students who need financial, motivational, and academic assistance. Participants come primarily from New Mexico's Indian and Spanish-American population.

The legislature also approved $104,000 in state financing for an expanded water resources research program at New Mexico State, after rejecting requests for three years. The approval of the funding is in line with increased interest in water pollution control programs.

A substantial portion of the increased state funding for New Mexico Tech at Socorro will go to the State Bureau of Mines. This additional money will enable the bureau to expand its program of research on mineral bodies and its efforts at control of pollution related to the mining industry.

The legislature appropriated $46,000 to Eastern New Mexico University at Portales to obtain facilities for a vocational education branch in nearby Clovis. The Board of Educational Finance made no recommendation on this appropriation, simply because the matter had not been presented to the board for its consideration.

State support for intercollegiate athletics was increased by $69,000, to $711,000 next year. This includes $81,000 each for Eastern New Mexico, Western New Mexico, and Highlands University, an increase of $4,000 each; $167,000 for UNM; and $220,000 for New Mexico State. The athletic financing for UNM is at the same level as this year. New Mexico State will receive $53,000 additional to help compensate for a non-recurring windfall payment for television rights during the fall of 1969.

The student exchange program, which is handled by UNM, was increased from $175,000 to $190,000. This will cover a per-student rate increase from $1,500 to $2,000 for New Mexico residents attending dental schools outside the Compact area of the Western Interstate Commission for Higher Education (WICHE).

The general appropriations act includes the annual $15,000 assessment for WICHE dues. But this assessment will not flow through the Board of Educational Finance next year; rather it will be paid by the State Department of Finance and Administration from a general dues fund.

Student Tuition

New Mexico's first legislative budget--a budget prepared by the Legislative Finance Committee in addition to the budget submitted by the governor --recommended rather substantial increases in student tuition next year. This recommendation included an 11 percent increase in resident tuition and 22 percent for non-residents.

But the legislature declined to go along with this recommendation and retained tuition at the 1969-70 rates. These rates are $105 per semester at the University of New Mexico, New Mexico State, and New Mexico Tech; $90 per semester at Eastern New Mexico and Western New Mexico; $130 at New Mexico Military Institute; and $60 per quarter at Highlands University for resident students. The non-resident rates are $420 per semester at UNM, New Mexico State, New Mexico Tech, and NMMI; $360 at Eastern and Western; and $240 per quarter at Highlands.

Other Legislation Approved

Other bills passed affecting higher education were:

- A measure allowing branch community college districts to levy an annual property tax of $400 per student for students in the vocational and technical programs of the college. The maximum levy for academic students remains at $100. This measure also allows community college boards to turn bond proceeds

over to the regents of the parent institution to be used for the community college.

- A measure was passed liberalizing the definition of resident students. This bill will enable members of the armed services based in New Mexico, their spouses, and minor children to attend institutions of higher education at the resident tuition rate, even though they cannot otherwise claim residency in the state.

GENERAL APPROPRIATIONS FOR NEW MEXICO HIGHER EDUCATION

INSTITUTION	1970-71	1969-70	Percent Change
University of New Mexico	$18,354,000	$15,566,000	18%
New Mexico State University	$12,236,000	$10,822,000	13%
Highlands University	$2,410,500	$2,061,500	17%
Western N.M. University	$1,581,000	$1,481,000	7%
Eastern N.M. University	$4,502,000	$3,919,000	15%
N.M. Tech	$2,083,000	$1,825,000	14%
N.M. Military Institute	$188,000	$172,000	9%
TOTAL	$41,354,000	$35,846,500	15%

UTAH

Lavor K. Chaffin
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Deseret News

SALT LAKE CITY, Utah -- The 1970 budget session of the Utah Legislature appropriated $45.2 million for operation of the state's system of higher education for the 1970-71 academic year. The appropriations level was considerably below the $49 million recommended by the State Board of Higher Education and far below the $58.5 million requested by the two universities, two four-year colleges, three junior colleges, and two technical colleges.

Appropriations for Higher Education

Before the legislative session opened, both Democratic Governor Calvin L. Rampton and the Republican majorities in both the senate and the house promised there would be no tax increases during the session. Rampton submitted a tight state budget of $490.2 million which the Republicans reduced to $487.7 million, trimming $2.5 million from the governor's recommendation.

Although the legislature said it would cut the higher education budget, it ended by appropriating the exact figure Rampton had asked. Although the figure was $3.8 million below the recommendation of the State Board of Higher Education, allocations to individual schools followed board recommendations.

To most observers this was a significant matter as it was the first budget recommendation made by the new single board of control created by the 1969 legislature. The new State Board of Higher Education supersedes the five institutional boards and the coordinating council which existed before the 1969 law was enacted.

In addition to the operating budget for higher education, the legislature appropriated $4.1 million for capital outlay purposes, mostly for facilities construction and extension, with the proviso that an additional $2.3 million could be used for building purposes if the state budget surplus should allow the expenditure.

The State Board of Higher Education had asked for $9.1 million in capital outlay funds, culling this figure from institutional requests in excess of $70 million.

The $4.1 million was allocated as follows: University of Utah, $424,642; Utah State University, $1,127,000; Weber State College, $479,000; Southern Utah State College, $243,000; Dixie College, $200,000; Snow College, $148,000; College of Eastern Utah, $220,000; Utah Technical College at Salt Lake, $1,211,000 (including $800,000 for the first phase of a $3.9 million technical

building), and Utah Technical College at Provo, $18,000. If additional funds are available, the University of Utah is to receive $1,251,000 for a service and utility center; Weber State College, $1,000,000 for phase II of its new library; and Dixie College, $100,000 for campus development.

Student Loans

In another budget item affecting higher education, the legislature increased the amount which may be borrowed from the State Insurance Fund to provide loans for college students from $3 million to $6 million.

Campus Museums

Besides the regular appropriations, the legislature earmarked $120,000 for development of museums on higher education campuses. The University of Utah received $60,000 for the Utah Museum of Natural History; Utah State University received $30,000 for its "Man and His Bread Museum"; and Southern Utah State College received $30,000 for development of the "Iron Mission Park."

State Board of Higher Education

In a non-budget item, the lawmakers amended the method of appointing the 15 members of the State Board of Higher Education. The 1969 statute provided that nine members should be appointed by the governor, three by the senate president and three by the speaker of the house. Governor Rampton challenged the statute on grounds that the executive held sole power of appointment. The district court upheld the statute, but Governor Rampton appealed the case to the Utah Supreme Court which struck it down.

In order to provide a smooth transition Governor Rampton recommended appointment of the same six members previously named by the legislators and the appointments were approved by the senate.

Besides being a first for the State Board of Higher Education, the 1970 legislative session was the first in newly scheduled semi-annual "off-year" sessions of the legislature. The Utah legislature now will meet in a 60-day "regular" session each odd-numbered year and in a 20-day "budget" session each even-numbered year.

OPERATING FUNDS FOR UTAH HIGHER EDUCATION

INSTITUTION	1970-71	1969-70	Percent Change
University of Utah	$21,409,000	$18,676,200*	14.6%
Utah State University	$11,139,000	$10,065,000*	10.7%
Weber State College	$5,375,000	$4,925,000	9.13%
Southern Utah State College	$1,625,000	$1,491,000	9.0%
College of Eastern Utah	$545,000	$488,000	11.7%
Snow College	$736,000	$672,000	9.5%
Dixie College	$804,000	$615,000	30.7%
Utah Technical College at Salt Lake	$1,603,000	$1,365,000	17.4%
Utah Technical College at Provo	$895,000	$825,000	8.5%
State Board of Higher Education	$1,069,000	$877,800*	21.8%
All Higher Education	$45,200,000	$40,000,000	13.0%

*Figures adjusted for comparability. Educational television funds were appropriated to individual institutions in 1969, appropriated to State Board of Higher Education in 1970.

 (no p. 54)

WASHINGTON

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Washington State Legislature

OLYMPIA, Washington -- The 1970 Extraordinary Session of the Washington Legislature was a planned experiment in the feasibility of holding annual rather than biennial sessions. However, while the 1970 session was being planned, the holding of an extraordinary session became a necessity because of serious fiscal problems which had not been foreseen when the 1969-71 biennium budget was being prepared in 1968.

Supplemental State Budget

The economic downturn of 1969 resulted in an expected state revenue loss for the biennium of 25.8 million dollars, while the increase in welfare caseloads resulted in an increase over expectations of $13 million. Thus in late 1969, the governor, using his constitutional executive powers, ordered a budgetary cut-back for all agencies including the institutions of higher education.

In addition, while the 1970 Extraordinary Session was in progress, the state's largest employer announced plans to reduce its work force from 110,000 employees to approximately 60,000 employees. The fiscal impact of this reduction is estimated to further reduce the expected revenue by an additional $13 million and to increase the expected welfare caseload by an estimated $25 million.

It was with this economic background that the legislature had to balance the requests for funds for higher education with the necessity for funds for welfare. Compromises in the sums needed for both had to be made, and neither was particularly satisfied with the supplemental budget passed during the 1970 Extraordinary Session.

Campus Conduct Legislation

Campus unrest continued to give serious problems to the state's institutions of higher education and the 1969 Criminal Trespass law was not as effective as planned because of the pre-arrest notice requirement. Thus, the 1970 legislature passed additional legislation aimed at reducing campus disruptions.

Two new crimes were created and defined. The first new crime is picketing or mass demonstrating which results in denying free access to a building of an institution of higher education to an administrator, a faculty member, or a student. The second crime is intimidation by threat of force or violence which results in denying free access to a building of an institution of higher education to an administrator, a faculty member, or a student. Penalty for violation of the crimes is a fine of up to $500 and/or

imprisonment in jail for up to six months.

College Pension Plan

The 1969 legislature authorized the State Board for Community Colleges to adopt a pension plan for faculty members and employees of the various community colleges. During 1969, the board adopted TIAA-CREF as the retirement plan. Under the 1969 legislation, the employee had to make an election within a short period whether to remain in his present state-supported plan or to transfer to TIAA-CREF. The 1970 legislature changed this to permit the employee to delay exercising the option until such time as the employee has acquired a vested right in the existing state plan, so as to avoid losing the benefit of prior contributions if a transfer to TIAA-CREF is elected.

Existing statute provided TIAA-CREF coverage for certain administrative personnel of the state universities, particularly those in the business offices. However, since this coverage was not authorized by statute for the state colleges, the 1970 legislature extended authorization to these schools. TIAA-CREF, a national retirement plan, allows for greater mobility than a state or institutional plan.

Changes in Earlier Legislation

The 1969 legislation which created the Council on Higher Education and the Commission on Higher Education provided for a certain measure of common membership on the two agencies. However, the law prohibited the person acting as chairman of the one to serve as chairman of the other. The prohibition caused considerable administrative problems with the two interconnected agencies. The 1970 legislature deleted the prohibition to simplify the administration of the two agencies.

The 1969 legislature also had passed a teacher tenure law for the community colleges; however, the act contained two inadvertant omissions. These omissions were corrected during the 1970 legislative session.

The 1967 legislature had authorized the creation of a State Building Authority, a private, non-profit corporation responsible for selling bonds and using the funds derived therefrom for the construction of buildings which were to be leased on a long term basis to the State of Washington. The 1970 legislature amended the State Building Authority law to permit the Authority to lease lands owned by an institution of higher education for the purpose of erecting a building thereon to be leased to the institution of higher learning.

Prior law authorized a property tax exemption for up to 100 acres of real property owned by an institution when such property is used for an educational purpose. The 1970 legislature increased the size of the land exempted from 100 acres to 400 acres.

Tuition Increases

The 1970 session enacted legislation which increased the maximum permissible tuition which the state universities and colleges could charge as follows:

	Resident Students	Non-Resident Students
Universities	From $399 to $432	From $879 to $1,080
Colleges	From $264 to $360	From $471 to $720

The legislation is permissive rather than mandatory; however, most of the state institutions intend to implement the authorized increases.

Contracts of Minors

In addition to passing legislation which has the effect of granting an increased emancipation to minors over the age of 18 years, the legislature passed the Uniform Minor Students Capacity to Borrow Act, which makes the contracts of minors, entered into for educational purposes, enforceable in courts of law without the requirement of proving the contract was for "necessities."

Appropriations for Higher Education

The 1970 session, as indicated, was a special session. Therefore, there was not a regular budget, but supplemental items were voted which must be added to the regular budget for the 1969-71 biennium for a complete evaluation of appropriations for higher education.

The following table shows the amounts appropriated for higher education in the 1970 session, as well as the amounts appropriated during the 1967-69 and 1969-71 bienniums, since these figures have not previously appeared in the "WICHE Summary of State Legislation."

GENERAL APPROPRIATIONS FOR WASHINGTON HIGHER EDUCATION

INSTITUTION	1967-69	1969-71	1970 Supplemental
University of Washington	$157,385,700	$166,473,502	-----
Washington State University	$72,135,005	$77,660,053	$876,990
Central Washington State College	$24,000,241	$26,469,200	$351,845
Eastern Washington State College	$18,579,774	$23,208,901	$1,185,152
Western Washington State College	$25,277,033	$29,520,216	$2,373,822
Evergreen State College*	$1,405,000	$17,541,581	-----
State Board for Community Colleges	$84,777,434	$151,394,303	$19,393,656
TOTAL	$383,560,187	$492,267,756	$24,181,465

*The Evergreen State College is a new four-year state college with an anticipated opening date of September, 1971